**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**

**FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928**

**WP(C).No. 101 of 2007(K)**
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**PETITIONER:**
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**A.K.RAJAN, RABITHA NIVAS,**
**P.O.ATHOLI, KOZHIKODE DISTRICT.**

**BY ADV. SRI.V.RAJENDRAN**

**RESPONDENTS:**
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**1. THE SECRETARY,**
**REGIONAL TRANSPORT AUTHORITY,**
**KOZHIKODE.**

**2. K.P.JAYAPRAKASH, KOLLAMPUNATHIL HOUSE,**
**P.O.ANNASSERY, KOZHIKODE.**

**BY ADV. SRI.P.SAMSUDIN --R2**
**GOVERNMENT PLEADER SMT. PUSHPALATHA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C) NO: 101/2007 K**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P1. COPY OF THE TIME SCHEDULE OF THE VEHICLE KL-11/U/8010 ISSUED BY R1 TO THE R2.**

**EXT.P2. COPY OF THE RESOLUTION DT. 13/09/06 OF ATHOLI GRAMA PANCHAYATH.**

**EXT.P3. COPY OF THE LETTER DT. 15/09/2006 OF THE SECRETARY ATHOLI PANCHAYATH TO R1.**

**[True Copy ]**

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K.BALAKRISHNAN NAIR, J.

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W.P.(C) NO. 101 OF 2007-K

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JUDGMENT

The petitioner is the President of a Grama Panchayat. The said Panchayat has passed Ext.P2 resolution, praying to modify the time schedule of the 2nd respondent's vehicle, operating on the route Kozhikode – Ulliyeri. The said resolution has been forwarded to the Secretary, R.T.A., Kozhikode. Alleging that no action is being taken on it, this Writ Petition is filed.

2. Normally, only the permit holder can move for modification of his own time schedule and no third party could be conceded right to make such a motion. But, in this case, the permit holder himself has appeared and filed a counter affidavit, agreeing to the suggestion of the Panchayat. In view of the said position, the 1st respondent is directed to consider and pass orders on Ext.P2 in accordance with law, after affording an opportunity of being heard to the petitioner, the 2nd respondent and other affected operators, if any, within two months from the date of production of a copy of this

judgment.

The Writ petition is disposed of as above.

2nd February, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/